

APPROVED: Meeting No. 40-84

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 36-84

October 15, 1984

The Mayor and Council of Rockville, Maryland, convened in work session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, October 15, 1984, at 8:00 p.m.

PRESENT

Mayor John R. Freeland
(left at 10:00 p.m.)

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick, City Clerk Helen Heneghan, City Attorney Paul Glasgow.

Re: work Session: To
determine which
County Laws should
apply within the City
of Rockville

The Mayor and Council conducted a work session on which County Laws should apply within the City of Rockville and made the following decisions:

Chapter 1 - General Provisions	Let County Law Apply
Chapter 2 - Administration	Let County Law Apply
Chapter 2A - Administrative Procedures Act	Exempt City From County Law
Chapter 2B - Agricultural Land Preservation	Exempt City From County Law
Chapter 3 - Air Quality Control	Let County Law Apply

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Chapter 3A - Alarms	Let County Law Apply. Repeal Chapter 25 of the "Laws of Rockville
Chapter 4 - Amusements	Exempt City from County Law
Chapter 5 - Animal Control	Exempt City from County Law. City may have to amend its law to require licensing of cats in order to facilitate enforcement of rabies control provisions.
Chapter 5A - Arts	Exempt City from County law. Check with County to make sure any funds will be available to City residents and groups.
Chapter 6A - Beverage Containers	Exempt City from County Law
Chapter 7 - Bicycles	Let County Law apply. Repeal Chapter 11, Section 11-2.01 thru 11-2.11 of the "Laws of Rockville".
Chapter 8 - Buildings	Exempt City from County Law.
Chapter 8A - Cable Communications	The Council agreed to exempt the City from the County Law.
Chapter 9 - Cemeteries & Burials	Exempt City from County Law
Chapter 9A - Council Commission on the Humanities	Exempt City from County Law
Chapter 10 - Group Daycare Centers	Let County Law Apply
Chapter 11 - Consumer Protection	Let County law apply within the City. Repeal Chapter 8, Section 8-3.00 thru 8-3.11 of the "Laws of Rockville."
Chapter 11A - Condominiums	Exempt City from County Law
Chapter 11B - Contracts, Purchases, & Dispositions	Exempt City from County Law
Chapter 11C - Cooperative Housing	Exempt City from County Law
Chapter 12 - Courts	Exempt City from County Law

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Chapter 13 - Detention Centers & Rehabilitation Facilities	Exempt City from County Law
Chapter 13A - Development Rights Fund	Exempt City from County Law
Chapter 14 - Drug Abuse Control	
Chapter 15 - Eating & Drinking Establishments	Let County Law Apply
Chapter 16 - Elections	Exempt City from County Law
Chapter 17 - Electricity	Exempt City from County Law
Chapter 18 - Elm Disease	Exempt City from County Law
Chapter 18A - Energy Conservation	Exempt City from County Law
Chapter 19 - Erosion & Sediment Control	Exempt City from County Law
Chapter 19A - Ethics	Exempt City from County Law
Chapter 20 - Finance	Exempt City from County Law
Chapter 20A - Financial Disclosure	Exempt City from County Law
Chapter 21 - Fire & Rescue Service	Let County Law Apply
Chapter 22 - Fire Safety Code	Recommend totally separate City enforcement in the future. However, until the City has such capability, the City should retain joint enforcement authority with County. Retain city law & request continued County enforcement assistance. Exempt City from County Law.
Chapter 23A - Group Residential Care Facilities	Exempt City from County Law
Chapter 23B - Financial Assistance to Non-Profit Service Organization	Exempt City from County Law
Chapter 24 - Health & Sanitation	Retain City smoking prohibitions law.

Chapter 24A - Historic Resources Preservation	Ask County to amend its law so City residents of historic districts can benefit from loans, grants, & tax abatements. Exempt City from County law except with respect to provisions relating to loans, grants & tax abatements.
Chapter 24B - Homeowner's Associations	Let County Law Apply
Chapter 25 - Hospitals, Sanitariums, Nursing and Care Homes	Let County Law Apply
Chapter 25B - Housing Policy	Exempt City from County Law
Chapter 26 - Housing Standards	Exempt City from County Law
Chapter 27 - Human Relations & Civil Liberties	Exempt City from County Law. Amend City law to give City's Human Rights Commission authority to enforce hate/violence provisions. Staff will explore City/County cooperation in this area.
Chapter 27A - Individual Water Supply & Sewage Disposal Systems	Exempt City from County Law
Chapter 28 - Junk Dealers & Junk Yards	Exempt City from County Law
Chapter 29 - Landlord-Tenant Relations	Exempt City from County Law
Chapter 29A - Legislative Oversight	Exempt City from County Law
Chapter 30 - Licensing & Regulation Generally	Exempt City from County Law
Chapter 30A - Montgomery County Municipal Revenue Program	Let County Law Apply
Chapter 30B - Massage Establishments & Massage Technicians	Let County Law Apply
Chapter 31 - Motor Vehicles and Traffic	Let County Law Apply and retain City law - concurrent jurisdiction.
Chapter 31A - Motor Vehicle Repair & Towing Registration	Let County Law apply within City. Repeal City's Chapter 26.

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Chapter 31B - Noise Control

Let County law apply. If City still wishes to retain authority to grant waivers: 2) ask County Executive to administratively delegate such authority to City; or 3) retain City law and ask County to enforce. In addition, adopt a City law authorizing enforcement in evening hours without technical equipment. County law must be amended to reflect City zones, until then let City law apply.

Chapter 31C - Obscene Matters

Repeal City law and rely solely on State law.

Chapter 32 - Offenses Miscellaneous

Exempt City from County Law

Chapter 33 - Personnel

Exempt City from County Law

Chapter 33A - Planning Procedures

Exempt City from County Law

Chapter 34 - Plumbing and Gas Fitting

Exempt City from County Law

Chapter 35 - Police

Exempt City from County Law, but make sure this does not undermine the authority of County Police to act within the City.

Chapter 36 - Pond, Well, & Excavation Safety Standards

Exempt City from County Law

Chapter 37 - Public Welfare

Exempt City from County Law

Chapter 38 - Quarries

Exempt City from County Law

Chapter 38A - Radio, T.V. & Electrical Appliance & Repairs

Let County Law Apply

Chapter 39 - Rat Control

Let County Law Apply; however, staff should explore actions to handle citizen's problems quickly, possibly contracting with exterminators.

Chapter 40 - Real Property

Exempt City from County Law

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Chapter 41 - Recreation & Recreation Facilities	Exempt City from County Law
Chapter 41A - Rent Supplement & Assistance Program	Exempt City from County Law, but make sure funds will be available to City residents.
Chapter 42 - Revenue Authority	Exempt City from County Law
Chapter 42A - Share-A-Ride Districts	Exempt City from County Law
Chapter 43 - Riding Schools & Stables	(Repealed)
Chapter 44 - Schools & Camps	Let County law apply but obtain an understanding that City Building Codes will continue to apply
Chapter 44A - Secondhand Personal Property	Let County Law apply. Repeal City law - Chapter 22 of the "Laws of Rockville"
Chapter 45 - Sewers, Sewage Disposal & Drainage	Exempt City from County Law. Needs more research & discussion with County
Chapter 46 - Slaughterhouse	Let County Law Apply.
Chapter 47 - Solicitors, Hawkers & Peddlers	Exempt City from County Law
Chapter 48 - Solid Waste	Exempt City from County Law
Chapter 49 - Streets & Roads	Exempt City from County Law
Chapter 50 - Subdivision of Land	Exempt City from County Law
Chapter 51 - Swimming Pools	Let County Law Apply
Chapter 52 - Taxation	Let County Law Apply
Chapter 53 - Taxicabs & Limousines	Let County Law Apply. Staff was asked to look into the applicability of the legislation to mini-buses.
Chapter 53A - Tenant Displacement	Exempt City from County Law
Chapter 54 - Transient Lodging Facilities	Exempt City from County Law
Chapter 54A - Transit Facilities	Let County Law Apply.

Chapter 55 - Unsafe Buildings

Exempt City from County Law.
Ask County to continue to
jointly enforce.

Chapter 56 - Urban Renewal & Community Development

Exempt City from County Law.
Check with County to
determine if funds would
still be available to
City.

Chapter 56A - Video Games

Exempt City from County Law

Chapter 57 - Weapons

Exempt City from County Law

Chapter 58 - Weeds

Exempt City from County Law

Chapter 59 - Zoning

Exempt City from County Law

Part III - Special Taxing Area Laws Chapters 60 - 70

Exempt City from County Law

Part IV - City, Town & Village Charters

No action required

Part V - BiCounty District Laws

Exempt City from County Law

Re: Executive Session

There being no further business to come before the Council in work session,
the meeting was closed for Executive Session for consultation with legal
counsel.

Re: Adjournment

There being no further business to come before the Council in Executive
Session the Meeting was adjourned at 10:30 p.m. to convene again in general
session on Monday, October 22, 1984, at 8:00 p.m. or at the call of the Mayor.